



EXHIBIT "B"

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Of: Brian L. Launder) **PATENT APPLICATION**
Charles Clendenning)
Serial No.: 08/938,909) Examiner: V. Batson
Filed: September 26, 1997) Group Art Unit: 3671
For: EXCAVATING TOOTH ASSEMBLY)

7/26/99

APPENDIX "B"

VERIFIED STATEMENT OF BRIAN L. LAUNDER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Brian L. Launder, declare that:

1. The invention described and claimed in the above-identified patent application, as amended in accordance with Amendment "A", was developed solely and exclusively by Charles Clendenning.

2. I am executive Vice-President of H&L Tooth Co. located in Tulsa, Oklahoma. As executive Vice-President, I am involved with all aspects of H&L Tooth Co. including design, development, manufacturing, marketing and installation of multiple aspects of a wide and varied scope of excavating accessories. I have been and continue to be involved with improvements relating to design, development, manufacture and installation of excavating teeth assemblies including adapters or supports and digging or excavating teeth.

3. The above-identified patent application disclosing an innovative excavating tooth assembly design was forwarded for my review. The patent application that was forwarded for my review furthermore included formal papers including a combined Declaration and Power of

not considered
VS 8/2/99

Considered
VS 9/7/99

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C. Clendenning
Serial No.: 08/938,909

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Attorney which listed me as a co-inventor of the invention disclosed in the subject application. The patent application I reviewed included disclosures relating to multiple aspects of a new and innovative digging or excavating tooth design. At the time I reviewed the patent application and prior to signing the formal papers, I believed I understood the contents of the patent application, including the specification, and the combined Declaration and Power of Attorney. At the time I executed the combined Declaration and Power of Attorney, I believed the invention disclosed in the patent application I reviewed was attributable to both myself and Mr. Charles Clendenning, without deceptive intent. I have been subsequently appraised that I was in error and the contributions I made to the excavating tooth assembly disclosed in the patent application I reviewed were insufficient to make me a co-inventor, with which I concur.

4. Upon review of an outstanding November 27, 19998 Office Action, and with a better understanding of the invention which is now sought to be patented, as defined by the claims presented for consideration following entry of Amendment "A", it was ascertained that I did not contribute to the design of the subject invention, and the contributions which I did make were insufficient to make me a joint inventor of the subject application.

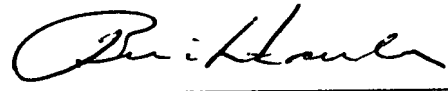
5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that willful false statements and the like so made are punishable by fine or imprisonment or both, under

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Section 1001 of Title 18 of the United States Code and all such statements may jeopardize the validity of the above-identified patent application or any patent issued thereon.

Date: FEB 22 1999



Brian L. Launder

EXHIBIT "A"



**THE UNITED STATES PATENT AND TRADEMARK OFFICE
MAILROOM STAMP AFFIXED HERE ACKNOWLEDGES RECEIPT
OF:**

TRANSMITTAL OF AMENDMENT

Applicants: Brian L. Launder; Charles Clendenning

Serial No.: 08/938,909

Examiner: Victor Batson

Filed: September 26, 1997

Group Art Unit: 3671

For: EXCAVATING TOOTH ASSEMBLY

ENCLOSURES: 1) Amendment Transmittal Letter (1 page);

2) Amendment "A" (29 Pages); 3) Letter to the Official Draftsperson (1 page); 4) Drawings marked in red to indicate proposed changes to drawings Figures (3 pages); 5) Petition and Fee to Correct Originally named Inventors (37 CFR 1.48(a))(2 pages); 6) signed Verified Statement of Charles Clendenning (3 pages); 7) signed verified Statement of Brian L. Launder (3 pages); 8) signed Consent of Assignee (1 page); 9) Check No. 1120 for \$130.00 for Petition Fee under 37 CFR 1.17(h); and 10) This post Card.

Mailed via First Class Mail on February 26, 1999.

